

REMARKS

Applicants acknowledge the Examiners' time and courtesy during their February 4 teleconference, as indicated on the interview summary faxed February 4, 2003. Claims 1-4 and 6-19 are pending with claim 5 cancelled by this paper.

Claim Rejections Under 35 U.S.C. §102(b)

Claim 1 stands rejected as allegedly anticipated by U.S. Pat. No. 5,300,358 (Evers). Applicants have cancelled claim 5 and amended claim 1 to include its substantive features. Consequently, Applicants respectfully submit that this rejection should be withdrawn. This amendment has been made to obtain an early allowance of the application and is not to be construed as acquiescence to any ground of rejection.

Claim Rejections Under 35 U.S.C. §103

Claims 2-3, 5-7, and 10-19 stand rejected as allegedly unpatentable over Evers in combination with other alleged prior art. Applicants respectfully traverse these rejections.

Evers discloses:

Compostible and flushable non-rigid, highly absorbent structures, particularly for sanitary uses for the absorption of body fluids, comprising an absorbent degradable fibrous core and a backsheet that is cold-water soluble but water repellent on the inner and outer sides.

Column 2, lines 33-37, emphasis added. Particularly, Evers discloses that:

In another aspect of the invention, a surfactant is used to increase the rate of water solubility of the backsheet of the present articles. For example, soluble degradable synthetic backsheet of a diaper of the invention may be coated with a fluorochemical repellent; after use, the repellent can be wetted with the assistance of a fluoro-surfactant such as "ZONYL" FSO. The surfactant, put in the disposal water, reduces the surface tension of the repellent layer, which in turn permits the degradable backsheet to be dissolved rapidly in the cold water. Sufficient concentration of surfactant decreases the advancing contact angle to less than 70°.

In this embodiment of the invention, the fluorochemical repellent does not permit the backsheet to be wet by an assaulting liquid until the fluorochemical repellent is contacted with the surfactant. **Therefore, for disposal of absorbent structures like diapers via the toilet, the toilet water dissolves the backsheet, the segments of the core break-up into flushable size pieces, and the top sheet is flushed to enter a degradable environment.**

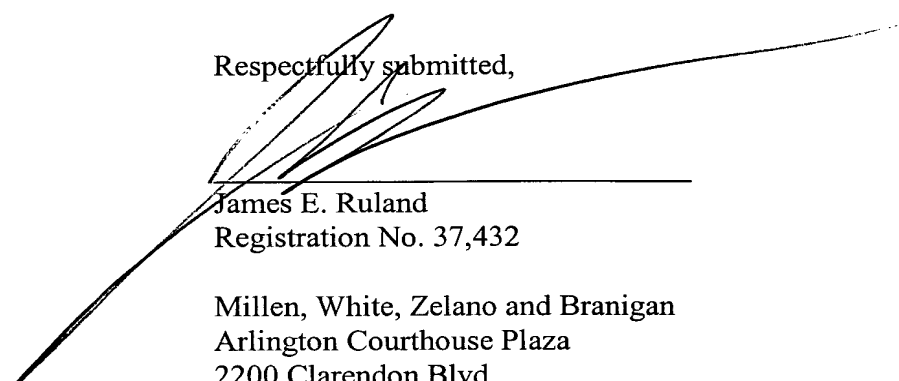
Column 7, lines 47-66, emphasis added.

However, Evers is nonanalogous art with respect to resist compositions. In order to rely on a reference as a basis for rejection, the reference must either 1) be in the field of applicant's endeavor or 2) then be reasonably pertinent to the particular problem with which the inventor was concerned. *In re Clay*, 23 U.S.P.Q. 1058 (Fed. Cir. 1992).

In the present case, a flushable absorbent article is not in the field of resist compositions. Moreover, adding a surfactant to toilet water to dissolve a backsheet does not pertain to problems associated with resist compositions. Consequently, Applicants respectfully submit that these rejections should be withdrawn.

In view of the above remarks, favorable reconsideration is courteously requested. Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned, "**VERSION WITH MARKINGS TO SHOW CHANGES MADE**". If there are any remaining issues which can be expedited by a telephone conference, the Examiner is courteously invited to telephone Counsel at the number indicated below.

Respectfully submitted,



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Filed: February 21, 2003

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

1. (Amended) A resist composition comprising a base polymer and a fluorochemical surfactant which functions to reduce the contact angle at the interface between the surface of the resist composition coated onto a substrate and water or an aqueous base developer as the amount of the fluorochemical surfactant increases.

19. (Amended) The resist composition of claim 1 5 wherein the base polymer is polyhydroxystyrene, poly[(t-butyl acrylate)-(hydroxystyrene)] copolymer, poly[(t-butyl methacrylate)-(methyl methacrylate)-(polymethacrylic acid)] copolymer, or poly[(t-butyl-5-norbornene-2-carboxylate)-(maleic anhydride)-(5-norbornene-2,3-dicarboxylic anhydride)] copolymer.